

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE UBS AG ERISA LITIGATION

No. 08 CV 06696 (RJS)

DECLARATION OF SUHANA S. HAN

SUHAN S. HAN. hereby declares under penalty of perjury as follows:

1. I am a member of the bar of this Court, and a member of Sullivan & Cromwell LLP, counsel to defendants UBS AG, UBS Americas, Inc., UBS Financial Services, Inc. (“UBSFS”), the UBS AG Group Executive Board, Joe Scoby, Robert Wolf, the UBS Savings and Investment Plan (“SIP”) Retirement Board and Savings Plan Committee, Barbara Amone, Stephen Baird, Simon Canning, Michael Daly, Richard Duron, Per Dyrvik, Ursula Mills, Edward O’Dowd, Jaime Taicher, the UBSFS Executive Committee, the UBSFS Board of Directors, Dianne Frimmel, John Hannasch, Marten Hoekstra, Robert Chersi, Michael Weisberg, the UBSFS 401(k) Plus Plan (“Plus Plan”) Investment Committee, Ken Castanella, Earl Dodd, Marilee Ferone, William Frey, Matthew Levitan, Robert McCormick, Ed O’Connor, Kevin Ruth, Rhonda Viapiano, the Plus Plan Benefits Administration Committee, and the Plus Plan Administrator (collectively, “Defendants”) in the above-captioned action. I submit this declaration in

support of Defendants' Motion to Dismiss the Amended Class Action Complaint

Pursuant to Rules 12(b)(1) and 12(b)(6).

2. On January 16, 2009, during the course of filing the Declaration of Robert J. Giuffra, Jr., Exhibits 12 and 19 were unable to be uploaded onto the Court's Electronic Filing System due to certain security features on the files.

3. Attached hereto are true and correct copies of Exhibit 12 and Exhibit 19 to the Giuffra Declaration.

Executed on January 17, 2009

/s/

Suhana S. Han